

The Paducah Evening Sun.

VOL. XXV NO. 104.

PADUCAH, KY., SATURDAY EVENING, MAY 1, 1909.

TEN CENTS PER WEEK

BANK CLEARING ARE AFFECTED BY WEATHER CHANGE

Summer Apparel Has Little Attraction When Mercury Takes Drop.

No Tobacco Brought in; Farmers Are Busy.

DEPARTMENTS MAKE REPORT.

Clearings this week \$558,675
Last week \$627,100

The weather has been the chief factor in the trade this week, and owing to the fact that the weather man has been on the vaudeville stage this week, business has suffered. The week began with pleasant weather, and stores pulled out summer goods and displayed the airy stock. Wind and rain interfered with the trade for several days, and last night and today the weather man varied his turn by putting on cold weather.

Practically no tobacco has been received in the city this week, and the farmers have been at home, busy turning over clouds in an effort to catch up with the spring work. All lines of farm work are backward this year. A traveling salesman, who makes his territory in the southern states, said the cotton crop is six weeks late. This is true of the tobacco section, and likewise of the wheat sections.

Secretary Fowler, of the Business Men's association, is expecting a prominent manufacturer from North Carolina next week. He will come in the interest of establishing a large cottonseed oil manufacturing plant in the city. With Paducah he is impressed favorably, and with a little effort it seems likely that a \$75,000 plant will be erected in the city. He says Paducah is an ideal location for the plant, as the material can be shipped from the cotton region on the Cumberland and Tennessee rivers with little expense.

Nothing has developed on the surface of the railroad purchasing property at Metropolis, but what news that has leaked out has been an eye-opener to the business men.

Police Report.
April was a fair month with the police department, as 180 arrests were made by the boys in blue. The patrol wagon made 63 runs at night and 56 runs in the day.

Fire Reports.
The fire department had 26 runs during the month. None of the fires were of much damage.

W. L. D. Stamps.
L. L. Bebout, district stamp deputy collected \$12,225 during the month, and issued 315 wholesale liquor dealers' stamps.

Burial Permits.
Burial permits issued by City Clerk Maurice McIntyre for April were 26, 17 white and 9 colored.

Marriage Licenses.
April was a quiet month with Dan Cupid, as evidently all the brides are waiting for the arrival of June. Twenty-four marriage licenses for whites were issued, and six for colored couples.

Riverside Hospital.
The report of Riverside hospital for the month of April is: April—city patients, 3; private, 6; city patients received, 22; private, 17; city patients treated, 25; private, 23; city patients discharged, 13; private, 14; births, city, 1; deaths city, 1; private, 1; city patients, May 1, 12; private patients, 9.

Art Department Meets at Woman's Club.

The Art department of the Woman's club met this morning at the Woman's club house. Miss Alice Compton presided in the absence of the chairman, Mrs. Victor Norris. The program was attractively featured as follows:

Jules Dupre—Mrs. George Langstaff, Jr.
Charles Daubigny—Mrs. R. T. Joubert.
Gustave Courbet—Mrs. John W. Little.
Carolus-Duran—Miss Helen Lowry.

Strike on Great Lakes.

Chicago, May 1.—A strike involving 8,000 to 15,000 went into effect this morning when the lake seamen's union started a fight against the Lake Carriers' association. The strike affects all boats employing union men on the Great Lakes.

Count of Storm Victims Increases as Communication is Restored in Tennessee—Cold Weather North

Chicago River Dumping Tons of City Sewage Into Lake, Polluting Water—Ice Forms in Kansas.

Memphis, May 1.—The Commercial-Appel publishes the following table:	Dead.	Inj.
Tenn.		
Marion, Ark.	4	20
Hot Springs, Ark.	4	
Palestine, Ark.	15	
Bee Branch, Ark.	2	3
Heber, Ark.	2	11
Wilburn, Ark.	1	3
Wheatley, Ark.	1	3
Crawfordville, Ark.	1	
Marion, Ark.	5	8
Caddo Gap, Ark.	18	Many
Zebulon, Ark.	1	1
Somerville, Tenn.	5	4
Bolivar, Tenn.	1	13
Decherd, Tenn.	4	12
Montezuma, Tenn.	12	
Humboldt, Tenn.	4	
Medina, Tenn.	3	8
Whiteville, Tenn.	1	4
Perryville, Tenn.	2	
Bells, Tenn.	6	23
Quitto, Tenn.	3	12
Lula, Tenn.	4	
DeLoach, Tenn.	2	10
Hanley, Tenn.	2	10
Fayetteville, Tenn.	15	60
Clarksville, Tenn.	1	6
Chattanooga, Tenn.	1	26
Danville, Ala.	4	Many
Lawrence Co., Ala.	Many	
Alton, Mo.	2	
Moody, Mo.	3	8
Golden, Mo.	11	25
Horn Lake, Miss.	20	50

Memphis, May 1.—Tornadoes and electrical storms that swept the Mississippi valley Thursday night killed 182 people and injured over 7,000. They wrecked not less than 40 towns. It is believed the numbers will be increased when all reports arrive. The greatest loss of life was at Bee Springs, Tenn., where the death list numbers 20.

Snow in Wisconsin.
St. Paul, May 1.—Wisconsin reported a foot of snow. Snow also fell in Vandalia, Ill., and Sedalia, Mo.

Cold in Chicago.
Chicago, May 1.—Raw cold weather today succeeded the storm which did two millions damage here. The list of dead in Chicago is not over 100 and sixty injured.

A heavy rainfall here yesterday swelled the Chicago river so that it is flowing into Lake Michigan for the first time since the sanitary canal was constructed. It is carrying tons of city sewerage into the lake. Health

J. J. Dorian Announces Name for Police Judge

Popular John J. Dorian, twice elected city treasurer, has announced his candidacy for the office of city judge, subject to the action of the Republican party. He will receive the nomination without opposition, so far as known. There never have been any factions where the genial Mr. Dorian was concerned.

Since he was deprived of the well earned victory of his second term by a technicality not discovered by either party until the election was over, friends of Mr. Dorian, Democrats and Republicans, have been urging him to make the race for city judge, as the people are demanding a capable man on the bench, who can be trusted to enforce the law with impartiality. Mr. Dorian has been urged for his probity and moral courage on more than one occasion, and he combines with fine equipment for the office, vote getting ability, always essential when people want to get a good man in office.

Since his name has been mentioned for the office, many Democrats have expressed a determination to remain aloof from the primary next month; because an effort will be made to force them to abide by the result of the primary, whether good men or bad men are nominated.

There are few contests for council places at the primary and with the prospect of a man like Dorian to head the ticket, the Republicans are expected to put out an unusually strong councilmanic and aldermanic ticket.

May Day Fete Postponed a Week.

The May Day party at Wallace park planned for this afternoon by the Junior Epworth League of the Broadway Methodist church has been postponed until Friday afternoon, May 7. The cold wave made an open air program seem unadvisable today. The program will be carried out next Friday. The schools will have a half holiday on Friday and the children can all be present.

Jap Ship at Frisco.

San Francisco, May 1.—The Japanese training cruiser, Aso Sava, with 2,600 middles and cadets aboard, entered the bay this morning after a cruise from Los Angeles.

authorities fear the city's water supply will be polluted.

Wheat Injured.
Leavenworth, Kan., May 1.—Ice was found on ponds a half inch thick. It is reported that fruit and vegetables were destroyed. The wheat was damaged.

Two More Die.
Eldorado, Ill., May 1.—Mrs. Hickman and Mrs. Elda Endicott died this morning as the result of injuries received in yesterday's cyclone.

QUARREL RESULTS IN MALICIOUS SHOOTING.

As a sequel to a quarrel, H. A. Thomas, alias Kid Carter, colored, fired one shot at Hallie Craven, his paramour, yesterday afternoon. The woman ran into Ward's grocery. Eleventh and Caldwell streets, to escape Thomas, who followed her. He fired one shot, but the bullet struck the edge of a counter and was deflected. Thomas escaped, but was arrested near the Union station by Patrolmen Jones and Hession. He was locked up on the charge of malicious shooting without wounding, and in police court was held over to the grand jury.

M'CRACKEN COUNTY PARTY RETURNS FROM FRANKFORT

Mayor Smith and his party, including Auditor Kirkland and George Emery for the city, and F. M. Fisher, Richard Davis and William Patterson and C. E. Jennings for the county, have returned from Frankfort, where they succeeded in getting the county assessment increased reduced from 15 per cent to 4 per cent. Judge Lightfoot did not accompany the party. All were well pleased with their success, which will save the taxpayers about \$15,000.

Don't Like Pure Food

Cincinnati, May 1.—A sweeping attack on the government pure food laws in the United States court today was made by the Corn Products company a New Jersey corporation, control of which is in the hands of the Standard Oil company's group of financiers.

Capias in Raid Case

Marshal Elwood Noel has in his hands a capias for three of the defendants in the Birmingham raid cases, for which two verdicts for \$25,000 were returned at the last term of federal court. The three defendants are: Johnson Lady, Burnett Phelps and Henry Townes. The three defendants will be brought to the city and unless their assessment of the verdict is paid they will go to jail or take the pauper oath.

WEATHER.

COLDER

Fair and colder tonight, with probably freezing weather. Sunday fair and continued cold. Highest temperature yesterday, 72; lowest today, 40.

FEAR WEATHER.

Farmers are dubious about the damage the cold weather has done, and they are anxious for the weather to be cloudy to night, as this is a preventive of frost. The official temperature went to 46 degrees last night, and the weatherman predicts a fair and freezing weather.

There was no frost last night, but the temperature was low enough to do damage. For several days the farmers will be unable to determine the exact damage, although they are hoping that it will be slight. The cold weather doubtless will cause the fruits to be knotty and imperfect.

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SHERIFF ELEY OF MARSHALL FINDS 3 STOLEN HORSES

Arrests Men in Whose Possession They Were Discovered This Morning.

W. C. Roark, Farmer, Lost Animals and Reported.

PRISONERS TAKEN TO BENTON.

Benton, Ky., May 1. (Special.)—Sheriff Eley telephoned this morning that he captured the men who stole W. C. Roark's horses, and recovered the animals. He is on his way back with them.

Horse thieves stole a mare and two colts from W. C. Roark, who resides on the Benton road, three miles from the city, Thursday night. It was thought that the horses strayed away from the pasture, but yesterday afternoon Mr. Roark determined that his horses had been stolen. He notified Sheriff Peter Eley, of Benton, and yesterday morning some gypsies passed through Benton with the horses. Sheriff Eley with his deputies began the chase and trailed them until 1 o'clock this morning when they were compelled to return to Benton owing to the cold weather, and the fact that the trail was lost.

The gypsies camped on Mr. Roark's farm Thursday night, and before daylight stole the horses and left. The mare and colts are valued at \$600. Sheriff John W. Ogilvie was notified yesterday afternoon of the theft and all of the officials of the surrounding counties have been notified to be on the watchout for the thieves. It is believed that they are en route for Tennessee.

Grace Church Meeting

The annual meeting of the congregation of Grace church will take place in the parish house next Monday night at 7:30, for the purpose of hearing the reports of the work of the year just past, and the election of a vestry for the ensuing year.

"BABES IN TOYLAND" WILL BE SEEN AT THE KENTUCKY.

Critical playgoers who enjoy exquisite pictorial effects and gorgeous ensemble features will welcome the announcement that Julian Mitchell's sumptuous production of Victor Herbert and Glen MacDonough's brilliant operatic extravaganza, "Babes in Toyland," will be the offering at the Kentucky theater Friday, May 7, with the same production as presented over one year and a half in New York and one year in Chicago.

KUTTAWA IN QUARANTINE BECAUSE OF SMALLPOX.

Because of an epidemic of smallpox at Kuttawa, a quarantine has been established by Eddyville yesterday afternoon. Reports from Kuttawa say there are 53 cases of the disease in the town, and some of the most prominent people have it in their homes. The board of health is co-operating with the physicians, and it is believed that the epidemic will be checked without further spread. The disease is of mild form. The origin of the epidemic has been traced to a small girl who attended a party and all of those in attendance were stricken.

No danger is felt in Paducah, as during the quarantine against Cairo a thorough vaccinating tour was made over the city.

The Wallerstein team will line up against the Red Sox team tomorrow afternoon on the shop grounds. Both teams are in good form and an interesting game is expected. The battery for the Wallerstein team will be: Elliott and Mercer, while the Red Sox will depend upon Switzer and Cathey.

Another Reported Lost.

Port Huron, Mich., May 1.—A rumo reached here today that the big freight steamer, Russia, of the Port Huron and Duluth line, founded off Detroit Passage. It is reported the crew was saved. It is impossible to confirm the story.

Chicago Market.

	May—	High.	Low.	Close.
Wheat	1.25	1.24	1.25	
Corn	71	71	71	
Oats	56	56	56	
Lard	10.37	10.35	10.35	
Ribs	9.85	9.77	9.80	
July	18.10	17.95	18.00	

The Catholics Knights and Ladies will give a euchre at the Knights of Columbus hall Monday night.

Former Gov. J. C. W. Beckham Will be Editor of Kentucky State Journal, Succeeding Col. Walton

The Capital Morning Paper Changes Hands, According to Announcement Today—Lyon-Marshall Convention.

Frankfort, Ky., May 1. (Special.)—Announcement is made today by W. P. Walton, in the Kentucky State Journal, that he has sold the paper to James L. Newman, who has been its managing editor for the past three months. Announcement is also made that former Governor J. C. W. Beckham, will be editor of the paper in the future.

Legislative Convention.

Benton, Ky., May 1. (Special.)—Precinct conventions were held today in precincts throughout Marshall and Lyon counties to select a Democratic nominee for the state legislature. Interest was whetted keen in the race. The candidates were: Joseph L. Little, of Benton; J. McWaters, of Bryansburg, and Ed Smith, of Birmingham.

End of Joy Ride.

Louisville, May 1. (Special.)—The son of the late Zach Phelps was killed and two others seriously injured in a "joy" ride early this morning in an auto of a prominent Louisville man. The machine ran into a telegraph pole.

Johnny Goes Marching Home

Neesho, Mo., May 1.—After seven hours' deliberation, the jury returned a verdict of not guilty in the Johnnie Davidson case here this morning. A cab was waiting and the girl, accompanied by her mother and sister, quickly was taken home.

Will Leave for Arkansas.

Miss Marguerite Fowler is entertaining her friends at the home of her grandmother, Mrs. Marguerite Spinner, this afternoon, 731 Goebel avenue. She will leave for Little Rock, Ark., in a few days to make that city her home.

Panama Libel Case

Indianapolis, May 1.—Federal Judge Anderson today gave a hearing on the extradition proceedings begun by the government against Delavan Smith and Charles Williams, owners of the Indianapolis News, in the Panama canal libel cases. The question of law as to the government's right to remove Smith and Williams to the District of Columbia is argued.

LIFE SAVERS FAIL TO REACH VESSEL; LAKE BOAT SINKS

Sault Port, N. Y., May 1.—The big five-masted schooner, William Carnegie, is aground off Morrich's light. Captain Gordon, of Morrich's life savers, and Captain Gilbert, of the Podunk life savers, tried repeatedly to reach the vessel in life boats and a powerful motor boat. The sea is so high they cannot come close. The revenue cutters Mohawk and Seneca were ordered to the rescue.

Lake Steamer Sinks.

Sault St. Marie, Mich., May 1.—The steamer Aurania, of Cleveland, caught in an ice pack at White Fish bay during Thursday's storm, was crushed and sunk, according to Captain Pringle, who arrived here today. He said he and the crew of a dozen men escaped just before the ship sank.

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MAYOR TO SETTLE DISPUTES ABOUT PAYING LICENSE

Court of Appeals Holds Ordinance Valid on This Point.

Conflict Between General and Specific Tax.

MERCHANTS HAVE RECOURSE.

In overruling the motion to reinstate the injunction of certain merchants, to restrain the city from collecting license, Judge Barker, of the court of appeals, sustained Mayor Smith's contentions on every point, although he left the way open for any aggrieved individual to enter suit on his own account.

One of the points involved, as to whether or not a department store should pay license on all departments, was left open, but as Mayor Smith and the department store owners agree, there is little likelihood of any further litigation.

One of the principal complaints was that of Harbour and others that City Treasurer George W. Walters demanded that they pay license on all departments, instead of paying the single merchant's license of \$25. Mayor Smith agreed that the merchant's license should cover it. Mr. Walters declared that he had the authority of City Solicitor Campbell for his position.

The ordinance provided that whenever a dispute arose between the license payer and the license inspector the mayor should arbitrate. The court of appeals decided that this is a perfectly proper provision since the mayor's decision to not interfere with the license payer's right to appeal to the courts whenever he feels himself aggrieved.

Inspector Hicks apparently concurred in the view of Mr. Walters, although Mayor Smith sided with the license payers. Hereafter, all disputes will be referred to the mayor. The decision also says that when there is a general and a specific license fee, the merchant must pay the specific, and not the general.

The opinion in full is:

"The real question involved is the validity of a general license ordinance of the city of Paducah, affecting practically every business, profession and calling of that city. I am of the opinion that the motion to reinstate should be overruled, although I do not mean to decide that there is no merit in any of the positions taken by the plaintiff. I do not think, however, that the following positions are tenable:

"(1) That the ordinance is invalid because of certain irregularities in the procedure while it was on its passage. I am of the opinion that this objection is without merit.

"(2) That it is invalid because, where a doubt of the proper class to which any applicant belongs arises, the ordinance refers the matter to the mayor. This is a question which must of necessity arise in the administration of fiscal affairs of a city and it is equally necessary that some one should decide it. I do not think this a delegation of legislative authority to the mayor. It is strictly an executive or administrative duty; an error on the part of the mayor leaves the payer free to apply to the courts for relief.

"(3) The provision of the ordinance, where a general license tax is found in the schedule and also a specific license tax, does not mean that a business should be taxed twice or to pay two licenses, but that the tax payer should be required to pay the specific license only. To illustrate, all retail merchants are required to pay a license of \$25 per annum; all grocers are required to pay (say) \$20 per annum. Now, the grocer is a retail merchant, but he is not required to pay both licenses—only the grocer's license.

"The question as to whether or not large department stores, which carry different lines of goods, such as boots and shoes, dry goods, drugs, etc., should pay a license for each line or one license for all has given me more trouble. I do not, however, think it wise to undertake to decide this question on this motion. Any merchant, who thinks himself aggrieved by any ruling as to his license, can bring his individual case into court and have it decided. These large and perplexing questions should not be decided in advance; each case should be decided on its own merits, and not in connection with others. In these conclusions, I am authorized to say all members of the court concur.

"HENRY S. BARKER.

"Judge Court of Appeals."

Miss Lillian Abbott, of 310 North Ninth street, who has been ill for some time, is improving.